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**FILED**  
DISTRICT COURT OF GUAM

JUN - 7 2005

MARY L.M. MORAN  
CLERK OF COURT

112

**IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM**

LOURDES P. AGUON-SCHULTE,

Plaintiff,

vs.

THE GUAM ELECTION COMMISSION,  
et al.

Defendants.

Civil Case No. 04-00045

(removed from the Superior Court of Guam  
Civil Case No. CV-1103-04)

JAY MERRILL, etc., et al.

Plaintiff,

vs.

THE GUAM ELECTION COMMISSION,  
et al.

Defendants.

Civil Case No. 04-00046

(removed from the Superior Court of Guam  
Civil Case No. CV-1111-04)

**NOTICE OF APPEAL**

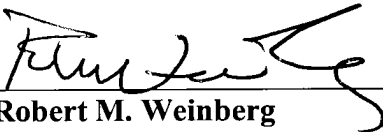
**PLEASE TAKE NOTICE** that the Attorney General of Guam hereby files Notice of Appeal to the United States Court of Appeals for the Ninth Circuit from the Order of the District Court, Territory of Guam, dated May 10, 2005, David O. Carter, United States District Judge

ORIGINAL

presiding, adopting in full the Findings and Recommendations of the Magistrate Judge dated and filed March 16, 2005.\*

Respectfully submitted this 7<sup>th</sup> day of June, 2005.

OFFICE OF THE ATTORNEY GENERAL  
Douglas B. Moylan, Attorney General

  
Robert M. Weinberg  
Assistant Attorney General

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\* The district court's Order adopting the magistrate judge's recommendations and findings erroneously refers to the date of filing of the recommendations as March 15, 2005.

## CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party(ies) with a copy of the foregoing by first class mail, postage prepaid, or by hand delivery to:

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this 7<sup>th</sup> day of June, 2005.



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